

## § 1215.9

### § 1215.9 Marketing.

*Marketing* means the sale or other disposition of unpopped popcorn for human consumption in a channel of commerce but shall not include sales or disposition to or between processors.

### § 1215.10 Part and subpart.

*Part* means the Popcorn Promotion, Research, and Consumer Information Order and all rules and regulations and supplemental orders issued thereunder, and the term *subpart* means the Popcorn Promotion, Research, and Consumer Information Order.

### § 1215.11 Person.

*Person* means any individual, group of individuals, partnership, corporation, association, cooperative, or any other legal entity.

### § 1215.12 Popcorn.

*Popcorn* means unpopped popcorn (Zea Mays L) that is commercially grown, processed in the United States by shelling, cleaning, or drying, and introduced into a channel of commerce.

### § 1215.13 Process.

*Process* means to shell, clean, dry, and prepare popcorn for the market, but does not include packaging popcorn for the market without also engaging in another activity described in this paragraph.

### § 1215.14 Processor.

*Processor* means a person engaged in the preparation of unpopped popcorn for the market who owns or who shares the ownership and risk of loss of such popcorn and who processes and distributes over 4 million pounds of popcorn in the market per year.

### § 1215.15 Programs, plans, and projects.

*Programs, plans, and projects* means promotion, research, consumer information, and industry information plans, studies, projects, or programs conducted pursuant to this part.

### § 1215.16 Promotion.

*Promotion* means any action, including paid advertising, to enhance the image or desirability of popcorn.

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### § 1215.17 Research.

*Research* means any type of study to advance the image, desirability, marketability, production, product development, quality, or nutritional value of popcorn.

### § 1215.18 Secretary.

*Secretary* means the Secretary of Agriculture of the United States or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in the Secretary's stead.

### § 1215.19 State.

*State* means each of the 50 States and the District of Columbia.

### § 1215.20 United States.

*United States* means all of the States.

#### POPCORN BOARD

### § 1215.21 Establishment and membership.

(a) There is hereby established a Popcorn Board of five members. The number of members on the board may be changed by rulemaking: *Provided*, that the Board consist of not fewer than four members and not more than nine members. The Board shall be composed of popcorn processors appointed by the Secretary under § 1215.24.

(b) For purposes of nominating and appointing processors to the Board, the Secretary shall, to the extent practicable, take into account the geographic distribution of popcorn production.

(c) No more than one officer or employee of a processor may serve as a Board member at the same time.

[62 FR 39389, July 22, 1997, as amended at 75 FR 67610, Nov. 3, 2010]

### § 1215.22 Nominations and appointment.

(a) All nominations for appointments to the Board established under § 1215.21 shall be made as follows:

(1) As soon as practicable after the effective date of this subpart, nominations for appointment to the initial